

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

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UNITED STATES DISTRICT COURT

\*\*\*\*\* DISTRICT OF NEVADA

JOHNNY LEE JONES, III,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:09-CV-00752-LRH-RAM**

GREG SMITH, et al,

Respondents.

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

\_\_\_ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**X** **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that respondents' Motion to Dismiss [17] is GRANTED. FURTHER ORDERED that the petition is DISMISSED Without Prejudice as Unexhausted. FURTHER ORDERED that the petitioner is DENIED a Certificate of Appealability.

February 8, 2011

**LANCE S. WILSON**

Clerk

/s/ M. Campbell

Deputy Clerk